IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JOSE ANDRES CAZARES, Special Administrator of the Estate of ANDREW CAZARES, Deceased	)	
Plaintiff,	)	Case No. 1:13-cv-05626
v.	)	Honorable District Judge Kendall
JOSEPH FRUGOLI, JOHN R. MORAN, PRIMERO, INC., an Illinois Corporation, METROPOLITAN BANK LAND TRUST 1463, and CITY OF CHICAGO, municipal corporation	)	Honorable Magistrate Judge Martin
Defendants.	)	

FAUSTO T. MANZERA, as Special Administrator of the Estate of Fausto A. Manzera, deceased, and Maria Valez, as co-special administrator of the Estate of Fausto A. Manzera, deceased.	)	Case No. 1:13-cv-05626
Plaintiff,	)	Honorable District Judge Kendall
v.	)	Honorable Magistrate Judge Martin
JOSEPH FRUGOLI, JOHN R. MORAN, PRIMERO, INC., an Illinois Corporation, METROPOLITAN BANK LAND TRUST 1463, and CITY OF CHICAGO, municipal corporation	)	
Defendants.		

CITY OF CHICAGO'S MOTION TO BAR KRISTI ALLGOOD AND GEOFFREY P. ALPERT

Defendant, City of Chicago ("City"), by and through its undersigned attorneys, respectfully moves this Court to bar plaintiffs' purported "experts," Kristi Allgood and Geoffrey P. Alpert, as witnesses in this case, and in support thereof, states as follows:

1. Plaintiffs filed this action against the City, among others, after a car accident on April 10, 2009 in which their decedents were struck by a car negligently driven by an off-duty police officer, Joseph Frugoli ("Frugoli"). (See Dkt Nos. 86, 87). The plaintiffs assert a *Monell* claim against the City under 42 U.S.C. Sec. 1983 with allegations "Frugoli's intoxicated operation of a vehicle and subsequent automobile crash with the decedents was caused by the City's *de facto* policies." (*See* this Court's Memorandum Opinion and Order, Dkt. No. 52, p. 6).

2. To support their *Monell* claim, plaintiffs retained and proffered the "expert" reports of Kristi Allgood ("Allgood") and Geoffrey P. Alpert ("Alpert"). (Allgood's report is attached as Exhibit 1 and Alpert's report is attached as Exhibit 2 to the City's contemporaneously filed memorandum of law in support of this motion).

3. As set forth in the City's contemporaneously filed memorandum of law in support of this motion, which is incorporated herein by reference, the reports and testimony of Allgood and Alpert should be barred pursuant to Federal Rule of Evidence 702 and the Supreme Court's opinion in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579, 113 S.Ct. 2786, 125 L.Ed.2d 469 (1993).

4. Among other reasons, Ms. Allgood and Mr. Alpert are unqualified to offer the opinions they express, their methodologies are unreliable, and their testimony will not assist the trier of fact.

WHEREFORE, Defendant, City of Chicago, respectfully requests that this Court enter an order barring Kristi Allgood and Geoffrey P. Alpert as witnesses in this matter, and for any other relief this Court deems just and proper.

Respectfully submitted,

By: s/ Harry N. Arger
One of the Attorneys for Defendant,
CITY OF CHICAGO

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CERTIFICATE OF SERVICE

Harry N. Arger, one of the attorneys for Defendant, City of Chicago, states that on **July 5, 2016**, he caused the foregoing **Motion** to be filed with the Clerk of the United States District Court, via the CM/ECF System, which will send electronic notification to all counsel of record at their e-mail addresses on file with the Court.

By: s/Harry N. Arger